

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Date of Arrest: January 26, 2022

UNITED STATES OF AMERICA)	Magistrate's Case No. 22-1080 MJ
Plaintiff,)	
)	COMPLAINT FOR VIOLATION OF
Vs.)	Title 8, United States Code,
)	Section 1324(a)(1)(A)(ii)
RIPLEY-Garza, Leiana)	Transportation of an Illegal Alien
YOB: 1996)	Count One
UNITED STATES CITIZEN)	
)	
)	
Defendant.)	
)	
)	

I, Anastasiya Katekhina the undersigned complainant, being duly sworn, state that the following is true and correct to the best of my knowledge and belief:

COUNT ONE

On or about January 26, 2022, within the District of Arizona, Defendant RIPLEY-Garza, Leiana knowing or in reckless disregard of the fact that certain aliens, namely: Garcia-Caldas, Vicente Alfredo, Mendivil-Mercado, Ignacio, Mercado-Miranda, Marcial, had come to, entered, or remained in the United States in violation of law, did knowingly transport and move, or attempt to transport and move, said aliens within the United States, by means of transportation or otherwise, in furtherance of such violation of law, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii) (Felony).

And the complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

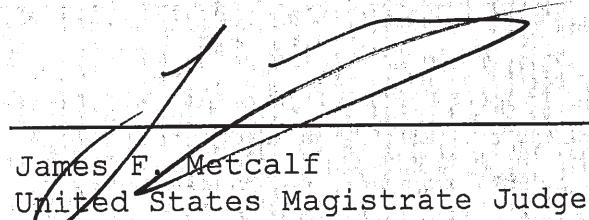
Authorized by: AUSA Kristen Brook

Kristen
Brook
Digitally signed
by Kristen Brook
Date: 2022.01.27
09:07:34 -07'00'



Anastasiya Katekhina
Border Patrol Agent
United States Border Patrol

Sworn to before me and subscribed telephonically, January 27, 2022, at
Yuma, Arizona.



James F. Metcalf
United States Magistrate Judge

UNITED STATES OF AMERICA
v.

RIPLEY-Garza, Leiana

Statement of Facts

I, Anastasiya Katekhina, being duly sworn, do state the following:

1. YUMA, YUMA COUNTY, ARIZONA.

County 16 Street east of Levee Road.

2. STOP OF THE DEFENDANT'S VEHICLE.

On January 26, 2022, at approximately 0756 hours Border Patrol Agent (BPA) Alejandro Hernandez apprehended a United States Citizen driver, one undocumented Peruvian Citizen, and two undocumented Mexican Citizens outside a stuck 2002 Honda Civic near Yuma, Arizona.

The following events occurred at County 16 Street, east of Levee Road, in Yuma County, Arizona, within the District of Arizona, on January 26, 2022. This area is within a mile of the border between Mexico and the United States and has long been used as a staging area for the transportation into the interior of the United States of aliens who have just illegally entered the United States.

Yuma Sector Operations Center (OPCEN) notified BPA Hernandez that a dark colored vehicle, possibly a Honda Civic had stopped where the suspected undocumented non-citizens were located. OPCEN observed all three subjects enter the vehicle. OPCEN then notified Border Patrol Agents that the vehicle was traveling east on County 16 Street. The vehicle became stuck possibly in sand and the suspected undocumented non-citizens exited the vehicle and attempted to push the vehicle free. OPCEN notified that the subjects efforts were unsuccessful and the driver, who appeared to be a female (later identified as RIPLEY-Garza, Leiana) exited the vehicle as well.

OPCEN guided BPA Hernandez and BPA Jason Helton to the subject's location. BPA Hernandez activated his emergency lights and approached RIPLEY-Garza, Leiana. BPA Helton approached the three undocumented non-citizens. As BPA Hernandez approached RIPLEY-Garza, Leiana, OPCEN notified him that she was the driver of the vehicle. BPA Hernandez questioned RIPLEY-Garza, Leiana about her citizenship and she stated that she is an American citizen. BPA Hernandez asked RIPLEY-Garza, Leiana what she is doing to which she responded that she is trying to help them get unstuck. BPA Hernandez proceeded to question RIPLEY-Garza, Leiana again as to what she was doing in the area. RIPLEY-Garza, Leiana responded that she saw that this vehicle was stuck and she approach to help. BPA Hernandez asked RIPLEY-Garza, Leiana where she came from, RIPLEY-Garza, Leiana pointed east and said "over there." RIPLEY-Garza, Leiana said that a friend of hers was coming to help too. BPA Hernandez placed RIPLEY-Garza, Leiana in the transport van.

BPA Helton questioned the three undocumented non-citizens about their citizenship. Two undocumented non-citizens who were later identified as, Mercado-Miranda, Marcial, and Mendivil-Mercado, Ignacio stated they are Mexican citizens and one undocumented non-citizen who was later identified as Garcia-Caldes, Vicente stated that he is a Peruvian citizen. BPA Hernandez asked the three non-citizens if they entered illegally to which they replied yes. BPA Hernandez asked the three subjects if RIPLEY-Garza, Leiana called them on their cell phones to let them know she was going to pick them up and they said no. Mendivil-Mercado, Ignacio stated that RIPLEY-Garza, Leiana was just giving them a ride. BPA Hernandez then asked the three subjects if RIPLEY-Garza, Leiana was picking them up to which they said yes. BPA Hernandez asked the three undocumented non-citizens what RIPLEY-Garza, Leiana said when she drove up to them and they said that RIPLEY-Garza, Leiana had said something to them but they didn't know what because she did not speak Spanish. The three subjects said RIPLEY-Garza, Leiana did not object to them entering the car. BPA Hernandez asked the undocumented non-citizens how they knew which car was going to pick them up and they stated that the person they arranged to be smuggled with told them a black car was going to pick them up. BPA Hernandez asked the subjects how they got stuck and they replied that RIPLEY-Garza, Leiana was attempting to drive around a bus that was parked on the road but ended up driving into the soft-packed freshly grated dirt.

All subjects were then placed under arrest and transported to Yuma Border Patrol Station for further processing.

3. STATEMENT

On January 26, 2022, at approximately 1328 hours, Border Patrol Agent-Intelligence (BPA-I) Jesus D. Barron advised RIPLEY-Garza, Leiana of her Miranda Rights per service form I-214 in the English Language. RIPLEY-Garza, Leiana acknowledged that she understood her rights and invoked her right to remain silent.

4. PASSANGERS

Garcia-Caldes, Vicente Alfredo (Garcia) has been previously removed from the United States on May 07, 2020, through the Port of Alexandria, Louisiana. Mercado-Miranda, Marcial (Mercado) has been previously removed from the United States on February 28, 2017 through the Port of Nogales, Arizona. Mendivil-Mercado, Ignacio (Mendivil) has been previously removed from the United States on June 07, 2018 through the Port of San Luis, Arizona.

Video surveillance shows no one entered or exited the black car after the car stopped to pick up the three illegal aliens and until it came to a stop when it got stuck in the sand. Agents witnessed the female exit the drivers seat.

Agents reported that RIPLEY-Garza, Leiana is a 26-year-old female, roughly 5 foot 5 inches tall, with light-skin, who wore her black hair in a partial ponytail. Garcia described the driver as a white female, approximately twenty-eight to thirty years old, short with black hair tied in a bun. Mendivil described the driver as female with black hair, and that he did not get a good look at her face. Garcia and Mendivil were unable to identify the driver out of a six-pack photo lineup. Mercado was shown a six-pack photo lineup and he identified RIPLEY-Garza, Leiana as the driver of the black sedan.

5. AFFIRMATION.

To the best of my knowledge and belief, the following is a list of all Border Patrol law enforcement personnel present during interviews, statements, and questioning of the Defendant and smuggle aliens in this matter, from initial contact to the writing of this document: BPAs Joshua Jones, Daniel Melendez, Sergio Mora, BPA-Is Jesus D. Barron, Carlos A. Gutierrez.

To the best of my knowledge and belief, the following is a list of all Border Patrol law enforcement personnel not already mentioned above who were present and/or took part in other parts of this investigation (e.g., arrest, search, seizure, proactive investigation, surveillance, etc.) from initial field contact through the writing of this document: BPA Alejandro Hernandez and Jason Helton.

Based on the foregoing, there is probable cause to believe that RIPLEY-Garza, Leiana violated the statutes as alleged in the attached complaint.



Anastasiya Katekhina
Border Patrol Agent
United States Border Patrol

Sworn to before me and subscribed telephonically, January 27, 2022, at Yuma, Arizona.



James F. Metcalf
United States Magistrate Judge